

REMARKS

In the above referenced case, claims 233-288 are pending. Applicant will sequentially address the issues raised by the Examiner.

I. The Drawings Objections

The Examiner objected to the drawings under 37 CFR 1.83(a) with respect to two groups of claims. The first group comprises claims 236, 250, 264, and 278. The second group comprises claims 233, 247, 261, and 275. All the claims in the first group have been canceled. The claims in the second group have been amended. As amended, claims 233, 247, 261, and 275 are supported by at least Figure 20 and its corresponding text in the Specification.¹ Thus, Applicant respectfully requests the Examiner to withdraw these objections.

II. The 35 U.S.C. §112 Claim Rejections

Claims 233-288 were rejected under 35 U.S.C. §112, first paragraph. Independent claims 233, 247, 261, and 275 have been amended and are supported by at least Figure 20 and its corresponding text in the Specification.¹ Thus, Applicant respectfully submits that claims 233-288 have overcome the 112 rejections.

Claims 236, 250, 164, and 278 were rejected under 35 U.S.C. §112, second paragraph. These claims have been canceled. Therefore, the 112 rejections are now moot.

III. The 35 U.S.C. §103 Rejections

A. Rejections over ATARASHI and SATO

¹ Of course, the embodiments described in the Specification are merely exemplary. Therefore, the scope of the claims should not be construed to cover only the exemplary embodiments described.

Claims 233-234, 236-248, 250-262, 264-276 and 278-288 were rejected under 35 U.S.C. §103(a) as being unpatentable over Atarashi et al., U.S. Patent No. 5,172,254 ("ATARASHI") in view of Sato et al., U.S. Patent No. 5,042,921 ("SATO").

Independent claims 233, 247, 261, and 275 have been amended to recite the additional element [c] for rotating the second selected predetermined orientation of a chosen component of the electromagnetic wave field vectors of the primary second resolved beam of electromagnetic energy to be substantially the same as the first selected predetermined orientation of a chosen component of the electromagnetic wave field vectors of the primary first resolved beam of electromagnetic energy before elements [d]-[g]. This additional element has support on at least page 87 of the Specification.²

Both ATARASHI and SATO disclose a system wherein the source beam is resolved into P- and S-polarized beams. The P and S polarized beams are further processed without converting them into substantially the same polarization.

Based on the foregoing, all pending claims should be in condition for allowance.

B. Rejections over ATARASHI, SATO, and KONNO

Dependent claims 235, 249, 263 and 277 were rejected under 35 U.S.C. §103(a) as being unpatentable over ATARASHI in view of SATO, and further in view of Konno et al., U.S. Patent No. 4,497,015.

Based on the foregoing arguments regarding independent claims 233, 247, 261, and 275, Applicant respectfully submits that these §103 rejections are now moot and these dependent claims are in condition for allowance.

² "The other polarization component of the source beam 57, the S-polarized portion of the source beam 57, beam 54, is passed through a half-wave retarder 38 where it is converted or changed into a beam 52R of P-polarization....Both the left side and right side of the projector thus functions with beams 52L and 52R of the same polarization." Of course, the embodiments described in the Specification are merely exemplary. Therefore, the scope of the claim should not be construed to cover only the exemplary embodiment described.

IV. Previous Arguments


The Examiner was not persuaded by Applicant's arguments and amendments in the response filed on November 3, 2004. Applicant hereby expressly retracts those arguments and amendments in their entirety.³

V. Conclusion

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance. Should the Examiner believe that a telephone interview would help advance the prosecution of this case, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

By:



Roxana H. Yang
Registration No. 46,788

PATENTESQUE LAW GROUP, LLP
P.O. Box 400
Los Altos, CA 94023
(650) 948-0822

³ Such retracted arguments and amendments should, therefore, not form the basis for any claim construction or prosecution history estoppel.